

REMARKS

Claims 1-30 are pending in the application and claims 1-5, 7-8, 12-25 and 27-30 stand rejected.

Rejection under 35 U.S.C §112

Claim 16 stands rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully disagree with the Examiner that these claims are not clear, but in the interest of passing this case to issue have amended claim 16 to make the objected-to terminology even clearer. Applicants thus submit that this rejection is now moot.

Rejection under 35 U.S.C §103

Claims 1-5, 7-8, 12-25 and 27-30 stand rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No. 5,822,435 to Boebert et al. in view of U.S. Patent No. 6,385,724 to Beckman et al. In particular, the Examiner finds that, with regard to claims 1 and 21, Boebert discloses all of the claimed limitations except for “explicitly disclosing” a shared communication infrastructure by which the hardware modules can communicate with each other. The Examiner further finds that Beckman discloses such a shared communication infrastructure in the guise of system bus 23 which connects the monitor, keyboard and other system components together to the processing unit for communicating and transferring information between elements within the computer, and directs our attention to Fig. 1 and col. 5 l. 52 – col. 6 l. 7. The Examiner finally opines that the skilled person would have found it obvious to include a system bus as taught by Beckman into Boebert’s workstations for the purpose of communicating and transferring information between elements within the computer or workstation, “the motivation being that distributing tasks in the computer environments as disclosed in Beckman: col. 5, lines 44-50.”

Applicants have reviewed the newly cited Beckman reference with care, paying particular attention to the passages cited, and are compelled to respectfully disagree with the Examiner. The new citation of Beckman does absolutely nothing to shore up the Examiner’s rejection,

which was discussed in detail in Applicants' previous Appeal Brief, as all Beckman is used for is to provide explicit teaching that a workstation includes a communication bus. As the Applicants, all skilled persons, and the Examiner are very much aware, computing workstations of the type envisaged for use with Applicants' invention have been built with a communication bus architecture for close to three decades by now. Thus, Applicants suffer no hesitation in agreeing with the Examiner that a skilled person contemplating the practice of Boebert's invention would most likely (as if he would have had any other practical choice) selected to do so with workstations built with communication buses.

However, the Examiner further alleges that the claimed first communication path is disclosed by Boebert's separate data path, and that the trusted hardware module by Boebert's trusted path subsystem 30. But in reality, as Fig. 2 of Boebert very clearly shows, the alleged "further hardware modules" (i.e. the display 10 and keyboard 20 of Boebert) are connected only to the alleged trusted hardware module, and have no possible way of accessing any communication bus (i.e. shared communication structure) that may be found in the workstation 40. Thus, even if agreeing completely with the Examiner's interpretation of the various elements of Boebert, there is still no possible way the skilled person could understand Boebert – or Boebert as modified by Beckman - to disclose the claimed shared communication infrastructure (i.e. a bus within workstation 40) by which the hardware modules (i.e. display 10 and keyboard 20) can communicate with each other. The Examiner himself acknowledges this on page 3 of the Action: "wherein the workstation processing unit, display, and keyboard, each directly connects to the trusted path subsystem, *but not with any other.*" Thus, if the bus of Beckman is included "into the Boebert's workstation" (p. 4 of the Action) and the workstation directly connects to the trusted path subsystem but not with any other hardware module, how can the bus possibly be a shared communication infrastructure by which the hardware modules can *communicate with each other*? Applicants respectfully submit that the Examiner still misinterprets the teachings of Boebert and request him to kindly reconsider and withdraw this rejection as to claims 1 and 21.

Claims 2-5, 7-8, 12-20, 22-25 and 27-30 depend from claim 1 or 21. "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, in light of the above

discussion of claims 1 and 21, Applicants submit that these claims are also allowable at least by virtue of their dependencies.

Applicants acknowledge with gratitude the Examiner's indication of allowability as to claims 6, 9-11 and 26 but, as set forth in detail above, believe that all pending claims are in fact patentable.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

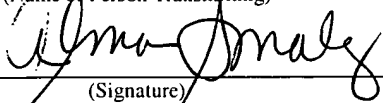
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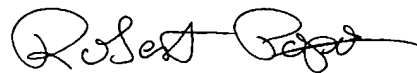


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Respectfully submitted,



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